

REMARKS

The November 1, 2004 office action stated that the examiner was unpersuaded by applicant's arguments that the claimed segmenting of video or other content distinguished the invention from U.S. Patent No. 6,452,615 to Chiu et al. ("Chiu"). The examiner, without citation, defined "segmenting" as "breaking up into several sections or segments." Based on that definition, the examiner concluded that Chiu discloses segmenting by capturing stills, making annotations, and referencing events for later playback, citing the abstract, col.2 lines 56-67, and col. 3 lines 1-20.

It is respectfully submitted that Chiu does not disclose segmenting in the manner of applicant's invention. As applicant used the term, segmenting in response to a bookmark signal occurring during presentation of a content stream means processing the stream to determine the boundaries, i.e., the starting point and endpoint, of a segment of the stream that contains the content that was being presented when the bookmark signal was received. This is apparent from the application, e.g., at page 2 in the first paragraph of the summary of the invention, and in the paragraph bridging pages 6 and 7, particularly with respect to step 504. The bookmark created in applicant's invention refers to the segment so determined, not just to the point at which the bookmark signal was received.

In contrast, the activities in Chiu that the examiner referred to -- capturing a still, making an annotation, and referencing an important event -- are activities that merely identify a point in the media stream, and enable the viewer to return to that point. Chiu does not disclose determining the boundaries of a segment containing the identified point in the media stream. A text search reveals that Chiu uses the term segment or a formative thereof only three times, and none of them refers to determining segment boundaries.

The pending claims have been amended to explicitly recite the above-described meaning of segmenting. It is respectfully submitted that the amended claims overcome the stated grounds for rejection. Entry of the amendment is requested, on the basis that it will render the application allowable. Alternatively, the amendment will present the claims in better form for consideration on appeal. An early and favorable action is earnestly solicited.

Respectfully submitted,



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